

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of USPTO Application No. 77/642,853

Mark: **CLIQUE**

Published in the Official Gazette on April 28, 2009 Filed: January 3, 2009

CLINIQUE LABORATORIES INC

Opposer -against

STEVEN ROSENHAUS

applicant

Commissioner for Trademarks

P.O. BOX 1451

Alexandria, VA 22313-1451

RESPONSE TO NOTICE OF OPPOSITION / No. 91190788

The following is my response to the allegations and statements and claims made by the opposer, CLINIQUE LABORATORIES to their opposition to mark CLIQUE, serial number 77/642,853 in International Class 3.

- 1/ I am without sufficient knowledge to respond.
- 2/ I am without sufficient knowledge to respond.
- 3/ I am without sufficient knowledge to respond.
- 4/ I am without sufficient knowledge to respond.
- 5/ I am without sufficient knowledge to respond.
- 6/ I am without sufficient knowledge to respond.
- 7/ I am without sufficient knowledge to respond.
- 8/ I am without sufficient knowledge to respond.
- 9/ I am without sufficient knowledge to respond .



11-23-2009

- 10/ I am without sufficient knowledge to respond.
- 11/ I am without sufficient knowledge to respond.
- 12/ I am without sufficient knowledge to respond.
- 13/ This is correct
- 14/ This is correct
- 15/ This is correct.
- 16/ This is correct
- 17/ This is correct
- 18/ I am without sufficient knowledge to respond.
- 19/ The English word CLIQUE is not similar to the French word Clinique (clinic) in appearance or commercial impression.
- 20/ I am seeking to register The English word CLIQUE in International class 3
- 21/ I am without sufficient knowledge to respond .
- 22/ The mark CLIQUE is not similar to the French word CLINIQUE (clinic), there is no likelihood of confusion.
- 23/ The registration of the mark CLIQUE is not a conflict and would not destroy the Opposer's investment in the mark CLINIQUE (clinic)
- 24/ I am without sufficient knowledge to respond.
- 25/ I am without sufficient knowledge to respond.
- 26/ The English word CLIQUE is not similar in meaning, in sound, in structure or in appearance to the French word CLINIQUE (clinic) and would not cause confusion.
- 27/ CLINIQUE LABORATORIES would not be harmed by the trademark registration of the word CLIQUE .
- WHEREFORE, it is respectfully requested that this opposition be dismissed and that the registration of the mark shown in application S.N. 77/642853 be approved.

New York, New York

November 20, 2009


STEVEN ROSENHAUS/ Applicant S.N.77/642853

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the forgoing Response to the Notice of Opposition against U.S. Serial No. 77/642,853) has been served on Leslie Moradian, Sr. Trademark Council, Estee Lauder Companies by mailing said copy on November 20, 2009 via First Class Mail, postage prepaid to:

Leslie Moradian, Sr. Trademark Council,
Estee Lauder Companies Inc
767 Fifth Avenue
New York, N.Y. 10153

November 20, 2009

A handwritten signature in black ink, appearing to read "Steven Rosenhaus", is written over a horizontal line.

STEVEN ROSENHAUS

CERTIFICATE OF MAILING

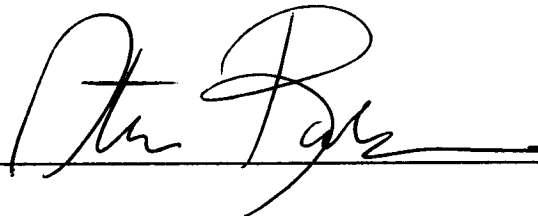
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First- Class mail in an envelope addressed to:

Commissioner for Trademarks

PO Box 1451

Alexandria, VA 22313-1451

On November 20 , 2009

A handwritten signature in cursive script, appearing to read "Steven Rosenhaus", written over a horizontal line.

STEVEN ROSENHAUS